

PETITION FOR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property for Public Utility uses other than those permitted as of right. Construction of an 11'-4"x14'-0" one-story concrete block slab on grade building to house electronic equipment for the purpose of regenerating long distance telephone communications via underground cables.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser: American Telephone and Telegraph Company (Type or Print Name) <u>A.T. & T. Company</u> Signature <u>[Signature]</u>	Legal Owner(s): (Type or Print Name) <u>Clyde C. Bensing</u> Signature <u>[Signature]</u>
3033 Chain Bridge Road Address Oakton, Virginia 22185 City and State	(Type or Print Name) <u>Clyde C. Bensing</u> Signature <u>[Signature]</u>
Attorney for Petitioner: (Type or Print Name) <u>[Signature]</u> Address <u>[Address]</u> City and State <u>[City and State]</u>	Name and telephone number of legal owner, contract purchaser or representative to be contacted <u>Clyde C. Bensing</u> Name <u>[Name]</u> Address <u>[Address]</u> City and State <u>[City and State]</u>
Attorney's Telephone No.: <u>[Number]</u>	3033 Chain Bridge Rd., Oakton, VA 22185 Telephone No. 703-691-8749

ORDERED BY The Zoning Commissioner of Baltimore County, this 4th day of April, 1982, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 11th day of May, 1982, at 9:30 o'clock A.M.

[Signature]
Zoning Commissioner of Baltimore County.

Z.C.O.-No. 1 (over)

ADDENDUM TO PETITION FOR SPECIAL EXCEPTION

American Telephone and Telegraph Company presently owns and operates a regeneration station located in Baltimore County for the purpose of providing telephone communication to the general public. The regeneration station is situate on property leased to the Telephone Company by lease dated November 1, 1957, and recorded in Liber 3294, Page 012, among the land records of Baltimore County. This lease terminates in 2007. The Telephone Company now proposes to construct a second regeneration station on this site.

Subsequent to establishing said lease, certain lands affected by the lease were conveyed to Universal Housing and Development Company, an investment trust duly qualified under the laws of the State of Maryland. James and Marjorie Rocker, Lessors, claim said conveyance was made saving and excepting that portion of land encumbered by the Telephone Company's lease. Universal Housing and Development Company claims said conveyance includes the land leased by the Telephone Company.

An Interpleader Action has been filed in Baltimore County Court leaving the parties to adjudicate this dispute between themselves. Presently, the rental fee is being paid by the Telephone Company to the Clerk of the Court. This arrangement shall continue until the dispute is settled.

A petition for special exception must be approved prior to obtaining a building permit to construct the second regeneration station. The property owner must execute the petition declaring and affirming, under the penalties of perjury, that they are the legal owners of the property which is the subject of the petition. Because ownership of this land is in dispute, neither party is willing to execute the petition claiming title to the land involved.

NOW THEREFORE, to accommodate the Telephone Company's proposed construction plans, the parties involved may hereby declare ownership to the leased land in whatever interest they may have. The undersigned, therefore,

solemnly declare and affirm, under the penalties of perjury, that they are the legal owners of the property which is the subject of this petition, AS FAR AS THEY ARE ABLE TO DO SO.

WITNESS:

[Signature] [Signature]
[Signature] [Signature]
Address
Baltimore Co. Maryland 21220
City and State

WITNESS:

UNIVERSAL HOUSING AND DEVELOPMENT COMPANY

[Signature] [Signature]
Address
9901 Langs Road
Baltimore, Maryland 21220
City and State

- 2 -

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

Chairman
Nicholas B. Commodari

MEMBERS
Bureau of Engineering
Department of Traffic Engineering
State Roads Commission
Bureau of Fire Prevention
Health Department
Project Planning
Building Department
Board of Education
Zoning Administration
Industrial Development

K. W. Thiel, Esquire
3033 Chain Bridge Road
Oakton, Virginia 22185

RE: Item No. 108
Petitioner - James J. Rocker, et al
Special Exception Petition

Dear Mr. Thiel:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

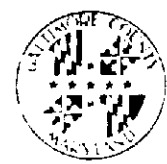
Very truly yours,

[Signature]
NICHOLAS B. COMMODARI
Chairman
Zoning Plans Advisory Committee

ENCLOSURE

Enclosures

cc: Edward E. Richardson Assoc., Inc.
West Chester, Pennsylvania



BALTIMORE COUNTY
DEPARTMENT OF PUBLIC WORKS
TOWSON, MARYLAND 21204

HARRY J. PISTEL, P.E.
DIRECTOR

December 22, 1981

Mr. William C. Hammond
Zoning Commissioner
County Office Building
Towson, Maryland 21204

RE: Item #108 (1981-1982)
Property Owner: American Telephone & Telegraph Co., et al
580' N. from centerline of Seven Courts Rd. 92' E.
from centerline of Hickoryhurst Drive on N/S of Cable
Acres: 2,500 sq. ft. District: 11th

Dear Mr. Hammond:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

General:

Baltimore County highway and utility improvements are not directly involved.

Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, damaging private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the stripping of top soil.

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Petitioner.

This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this Item 108 (1981-1982).

Very truly yours,

[Signature]
WILLIAM C. HAMMOND, P.E., Chief
Bureau of Public Services

RAM:EAM:FWR:ss

Q-SW Key Sheet
44 NE 25 Pos. Sheet
NE 11 G Topo
63 Tax Map



BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
TOWSON, MARYLAND 21204

NORMAN E. GERBER
DIRECTOR

March 1, 1982

Mr. William Hammond, Zoning Commissioner
Zoning Advisory Committee
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item #108, Zoning Advisory Committee Meeting, December 8, 1981, are as follows:

Property Owner: American Telephone and Telegraph Company, et al
Location: 580' N from centerline of Seven Courts Rd 92' E from centerline of Hickoryhurst Drive on N/S of cable
Acres: 2,500 sq. ft
District: 11th

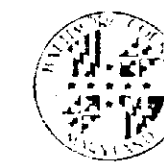
This office has reviewed the subject petition and offers the following comments. These comments are not intended to indicate the appropriateness of the zoning in question, but are to assure that all parties are made aware of plans or problems with regard to development plans that may have a bearing on this petition.

This petition meets the requirements of the Division of Current Planning and Development.

Very truly yours,

[Signature]
John L. Wimbley
Planner III
Current Planning and Development

JLW:ah



BALTIMORE COUNTY
DEPARTMENT OF TRAFFIC ENGINEERING
TOWSON, MARYLAND 21204
494-3550

STEPHEN E. COLLINS
DIRECTOR

March 9, 1982

Mr. William Hammond
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

With regard to Zoning Advisory Committee Meeting of December 8, 1981, the Department of Traffic Engineering has no comment on item numbers 107, 108 and 109.

Very truly yours,

[Signature]
Michael S. Flanagan
Engineer Associate II

MSF/bza

ORDER RECEIVED FOR FILING

DATE December 8, 1981
BY John J. Forrester
Zoning Commissioner of Baltimore County

Pursuant to the advertisement, posting of property, and public hearing on the petition for it appearing that by reason of the requirements of Section 502.1 of the Baltimore County Zoning Regulations having been met and the health, safety, and general welfare of the community not being adversely affected, the special exception should be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 14th day of June, 1982, that the Petition for Special Exception for public utility uses other than those permitted as of right, for the expressed purpose of constructing a one-story concrete block building on a poured slab to house electronic equipment used for regenerating long-distance telephone communications by underground cables, in accordance with the site plan filed herein and marked Petitioner's Exhibit 1, is hereby GRANTED, from and after the date of this Order, subject, however, to the following restrictions:

1. The existing building shall be razed if the use is abandoned subsequent to constructing the proposed building and installing all equipment necessary for utilization of the improved public utility uses, unless contrary to the terms of the lease.
2. Approval of the aforementioned site plan by the Department of Public Works and the Office of Planning and Zoning.

Zoning Commissioner of Baltimore County

BALTIMORE COUNTY PUBLIC SCHOOLS

Robert Y. Dubel, Superintendent

Towson, Maryland - 21204

Date: December 8, 1981

Mr. William E. Hammond
Zoning Commissioner
Baltimore County Office Building
1111 West Chesapeake Avenue
Towson, Maryland 21204

RE: Item No: 107, 108, 109
Property Owner:
Location:
Present Zoning:
Proposed Zoning:

Z.A.C. Meeting of: December 8, 1981

District:
No. Acres:

Dear Mr. Hammond:

All of the above have no bearing on student population.

Very truly yours,

Wm. Nick Petrovich, Assistant
Department of Planning

WNP/bp

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

William E. Hammond, Zoning Commissioner
Office of Planning and Zoning

Date: December 17, 1981

FROM: Ian J. Forrester

SUBJECT: Zoning Variance Items

The Baltimore County Department of Health has reviewed the following zoning variance items, and has no specific comments regarding same:

- Item #104 - Budget Tire Company, Inc.
- Item #106 - Everett and Mary Barton
- Item #107 - Edward and Margery L. McDonald
- Item #108 - American Telephone and Telegraph Company, et al
- Item #109 - Donald O. and Scharley C. Starliper
- Item #110 - Ridgeley Realty Company, Inc.
- Item #111 - Manuel S. and Sandra M. Fraw
- Item #112 - Ibrahim and Khalin Ipakohi

Ian J. Forrester, Director
BUREAU OF ENVIRONMENTAL SERVICES

137/rth/rtd/jwp

RE: PETITION FOR SPECIAL EXCEPTION : BEFORE THE ZONING COMMISSIONER
Beginning 2,430' NE of the centerline
of Hickoryhurst Drive, 580' NW of the
centerline of Seven Courts Road,
11th District : OF BALTIMORE COUNTY

JAMES J. ROCKER, et ux, and
UNIVERSAL HOUSING AND
DEVELOPMENT COMPANY, : Case No. 92-235-X
Petitioners :

ORDER TO ENTER APPEARANCE

Mr. Commissioner:

Pursuant to the authority contained in Section 524.1 of the Baltimore County Charter, I hereby enter my appearance in this proceeding. You are requested to notify me of any hearing date or dates which may be now or hereafter designated therefor, and of the passage of any preliminary or final Order in connection therewith.

Peter Max Zimmerman
Deputy People's Counsel

John W. Hession, III
People's Counsel for Baltimore County
Rm. 223, Court House
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 14th day of April, 1982, a copy of the foregoing Order was mailed to Mr. and Mrs. James J. Rocker, P. O. Box 43, Perry Hall, MD 21128; Universal Housing & Development Co., 9901 Langs Road, Baltimore, Maryland 21220; and Mr. Clyde C. Bensing, American Telephone & Telegraph Co., 5554 Port Royal Road, Springfield, Virginia 22151.

John W. Hession, III

BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON, MARYLAND 21204
825-7310

PAUL H. RENCKE
CHIEF

December 16, 1981

Mr. William Hammond
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Attention: Nick Commodari, Chairman
Zoning Plans Advisory Committee

RE: Property Owner: American Telephone and Telegraph Company, et al

Location: 580' N. from centerline of Seven Courts Road 92' E. from centerline of Hickoryhurst Drive on N/S of Cubie
Item No.: 108 Zoning Agenda: Meeting of December 8, 1981

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

- () 1. Fire hydrants for the referenced property are required and shall be located at intervals of 100 feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- () 2. A second means of vehicle access is required for the site.
- () 3. The vehicle dead end condition shown at EXCEEDS the maximum allowed by the Fire Department.
- () 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
- (X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 Edition prior to occupancy.
- () 6. Site plans are approved, as drawn.
- () 7. The Fire Prevention Bureau has no comments, at this time.

REVIEWER: Charles E. Burnham Noted and Approved: Charles E. Burnham
Planning Group Fire Prevention Bureau
Special Inspection Division

JX/ab/cm

Item 3394 Page 12 Bat. 2.1.1.4 N
(WILFLETT 19)

THE BALTIMORE COUNTY DEPARTMENT OF HEALTH HAS REVIEWED THE FOLLOWING ZONING VARIANCE ITEMS, AND HAS NO SPECIFIC COMMENTS REGARDING SAME:

ITEM #104 - BUDGET TIRE COMPANY, INC.
ITEM #106 - EVERETT AND MARY BARTON
ITEM #107 - EDWARD AND MARGERY L. McDONALD
ITEM #108 - AMERICAN TELEPHONE AND TELEGRAPH COMPANY, ET AL
ITEM #109 - DONALD O. AND SCHARLEY C. STARLIPER
ITEM #110 - RIDGELEY REALTY COMPANY, INC.
ITEM #111 - MANUEL S. AND SANDRA M. FRAW
ITEM #112 - IBRAHIM AND KHALIN IPAKOHI

THE BALTIMORE COUNTY DEPARTMENT OF HEALTH HAS REVIEWED THE FOLLOWING ZONING VARIANCE ITEMS, AND HAS NO SPECIFIC COMMENTS REGARDING SAME:

ITEM #104 - BUDGET TIRE COMPANY, INC.
ITEM #106 - EVERETT AND MARY BARTON
ITEM #107 - EDWARD AND MARGERY L. McDONALD
ITEM #108 - AMERICAN TELEPHONE AND TELEGRAPH COMPANY, ET AL
ITEM #109 - DONALD O. AND SCHARLEY C. STARLIPER
ITEM #110 - RIDGELEY REALTY COMPANY, INC.
ITEM #111 - MANUEL S. AND SANDRA M. FRAW
ITEM #112 - IBRAHIM AND KHALIN IPAKOHI

THE BALTIMORE COUNTY DEPARTMENT OF HEALTH HAS REVIEWED THE FOLLOWING ZONING VARIANCE ITEMS, AND HAS NO SPECIFIC COMMENTS REGARDING SAME:

ITEM #104 - BUDGET TIRE COMPANY, INC.
ITEM #106 - EVERETT AND MARY BARTON
ITEM #107 - EDWARD AND MARGERY L. McDONALD
ITEM #108 - AMERICAN TELEPHONE AND TELEGRAPH COMPANY, ET AL
ITEM #109 - DONALD O. AND SCHARLEY C. STARLIPER
ITEM #110 - RIDGELEY REALTY COMPANY, INC.
ITEM #111 - MANUEL S. AND SANDRA M. FRAW
ITEM #112 - IBRAHIM AND KHALIN IPAKOHI

THE BALTIMORE COUNTY DEPARTMENT OF HEALTH HAS REVIEWED THE FOLLOWING ZONING VARIANCE ITEMS, AND HAS NO SPECIFIC COMMENTS REGARDING SAME:

ITEM #104 - BUDGET TIRE COMPANY, INC.
ITEM #106 - EVERETT AND MARY BARTON
ITEM #107 - EDWARD AND MARGERY L. McDONALD
ITEM #108 - AMERICAN TELEPHONE AND TELEGRAPH COMPANY, ET AL
ITEM #109 - DONALD O. AND SCHARLEY C. STARLIPER
ITEM #110 - RIDGELEY REALTY COMPANY, INC.
ITEM #111 - MANUEL S. AND SANDRA M. FRAW
ITEM #112 - IBRAHIM AND KHALIN IPAKOHI

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Nick Commodari

Date: December 8, 1981

FROM: Charles E. Burnham

Zoning Advisory Committee
Meeting of December 8, 1981

- ITEM NO. 107 Standard Comments
- ITEM NO. 108 Standard Comments
- ITEM NO. 109 See Comments

Charles E. Burnham
Plans Review Chief

CEB:rrj

NO CONSIDERATION - NO TITLE SEARCH MADE OR REQUESTED
FEE SIMPLE DEED-CODE-City or County
LIBER 5519 PAGE 059

This Deed, Made this 27th day of November
in the year one thousand nine hundred and SEVENTY-THREE by and between ELEANOR L. LOWERY,
Personal Representative and Executrix of the Estate of Elizabeth F. Spamer, Deceased, late
of Baltimore County in the State of Maryland, of the first part, and
JAMES J. ROCKER and MARJORIE E. ROCKER, his wife
of the second part.
Witnesseth, That in consideration of the sum of Five Dollars (\$5.00) and other good and
valuable consideration
the said ELEANOR L. LOWERY, Personal Representative and Executrix of the Estate of
Elizabeth F. Spamer, Deceased
do es grant and convey unto the said
JAMES J. ROCKER and MARJORIE E. ROCKER, his wife, as tenants by the entireties, their
heirs and assigns, in fee simple, all that parcel of ground, situate, lying and being in
BALTIMORE COUNTY, aforesaid, and described as follows, that is to say:-
Beginning for the same and being a plot of land 50' wide by 50' long, the southerly boundary
of which shall coincide with the northerly boundary of the one rod wide strip described in
the said easement dated the 20th day of February, 1942, and recorded in Deed Book CHK
1218 at page 207, and the southeasterly corner of said plot of land being at a point in the
northerly boundary of said strip opposite cable marker No. 411 constructed under the terms
of said easement together with the existing roadway, for ingress and egress with vehicular
traffic, from Magleat Road to said plot of land, the said plot of land and the said roadway
being located upon tracts of land known as Darnalls Sylvania and Rockland.
SUBJECT to the provisions of a lease agreement dated November 1, 1957 and recorded
among the Land Records of Baltimore County in Liber 5294, page 012, between Jasper N.
Spamer and Elizabeth F. Spamer, Lessors, and the American Telephone and Telegraph
Company, Lessee, said Lease to be for a term of fifty (50) years from the 1st day of
November, 1957 to the 31st day of October, 2007.
BEING part of the same parcel of ground described in a Deed from Elmer T. Spamer to
Jasper N. Spamer and Elizabeth F. Spamer, his wife, as tenants by the entireties, dated
December 7, 1959, and recorded among the Land Records of Baltimore County in
Liber CWB, Jr. No. 1081, folio 371, Jasper N. Spamer having predeceased Elizabeth F.
Spamer.
JAMES J. ROCKER, Notary Public
C. E. Thiel, Esquire
K. E. Thiel, Esquire

LIBER 5519 PAGE 060

Together with the buildings and improvements thereupon erected, made or being and all and every
the rights, alleys, ways, waters, privileges, appurtenances and advantages, to the same belonging, or anywise
appertaining.

To Have and To Hold the said lot of ground and premises, above described and
mentioned, and hereby intended to be conveyed; together with the rights, privileges, appurtenances and
advantages thereto belonging or appertaining unto and to the proper use and benefit of the said
JAMES J. ROCKER and MARJORIE E. ROCKER, his wife, their
heirs and assigns, in fee simple.

And the said party of the first part hereby covenants that she has
not done or suffered to be done any act, matter or thing whatsoever, to encumber the property hereby
conveyed; that she will warrant specially the property granted and that she will execute such further
assurances of the same as may be requisite.

Witness the hand and seal of said grantor

TEST:
Eleanor L. Lowery (SEAL)
Eleanor L. Lowery, Personal Representative
and Executrix of the Estate of Elizabeth F.
Spamer, Deceased (SEAL)
Earl Blumhoff

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:
I HEREBY CERTIFY, That on this 27th day of November
in the year one thousand nine hundred and seventy-three, before me, the subscriber,
a Notary Public of the State of Maryland, in and for the County of Baltimore, aforesaid,
personally appeared ELEANOR L. LOWERY, Personal Representative and Executrix of the
Estate of Elizabeth F. Spamer, Deceased,
the above named grantor and she acknowledged the foregoing Deed to be her act.
As Witness my hand and Notarial Seal.
Notary Public.
Rec'd for record APR 13 1982
For Elmer H. Kahline, Jr., Clerk
Mail to Mayfield P. (Pete)
Receipt No. 945

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE
William E. Hammond
Zoning Commissioner
Norman E. Gerber, Director
FROM: Office of Planning and Zoning
SUBJECT: Zoning Petition No. 82-238-X
James J. Rocker, et ux and
Universal Housing and Development Company
Date: May 5, 1982
This office is not opposed to the granting of this request.
Norman E. Gerber
Director of Planning and Zoning
NEG:JGH:1
cc: Arlene January
Shirley Hess
File

BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353
WILLIAM E. HAMMOND
ZONING COMMISSIONER
April 29, 1982
Mr. Clyde C. Bensing
American Telephone and Telegraph Company
3033 Chain Bridge Road
Oakton, Virginia 22185
Re: Petition for Special Exception
Begin. 2430' NE of the centerline
Hickoryhurst Dr., 580' NW of centerline
Seven Courts Rd. 11th Election District
James J. Rocker, et al - Petitioners
Case #82-238-X (Item No. 108)
Dear Mr. Bensing:
This is to advise you that \$104.92 is due for advertising and posting
of the above property.
Please make check payable to Baltimore County, Maryland, and remit to
The Zoning Office, Room 113, County Office Building, Towson, Maryland
21204 before the hearing.
Very truly yours,
William E. Hammond
Zoning Commissioner
BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE-REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 107630
DATE 5/5/82 ACCOUNT 01-662
AMOUNT \$104.92
RECEIVED Clyde C. Bensing
FROM Advertising & Posting Case #82-238-X
FOR (James J. Rocker, et al)
VALIDATION OR SIGNATURE OF CASHIER

PETITION FOR SPECIAL EXCEPTION
11th Election District
ZONING: Petition for Special Exception
LOCATION: Beginning 2,430' Northeast of the centerline of Hickoryhurst
Drive, 580' Northwest of the centerline of Seven Courts Road
DATE & TIME: Tuesday, May 11, 1982 at 9:30 A.M.
PUBLIC HEARING: Room 106, County Office Building, 111 West Chesapeake Avenue
Towson, Maryland
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and
Regulations of Baltimore County, will hold a public hearing
Petition for Special Exception for public utility uses other
than those permitted as of right. Construction of a 11'4" x
14'0" one-story concrete block slab on grade building to
house electronic equipment for the purpose of regenerating
long distance telephone communications via underground
cables.
All that parcel of land in the Eleventh District of Baltimore County
Being the property of James J. Rocker, et ux and Universal Housing and Development
Company as shown on plat plan filed with the Zoning Department.
Hearing Date: Tuesday, May 11, 1982 at 9:30 A.M.
Public Hearing: Room 106, County Office Building, 111 West Chesapeake Avenue,
Towson, Maryland
BY ORDER OF
WILLIAM E. HAMMOND
ZONING COMMISSIONER
OF BALTIMORE COUNTY

COMM. 3014-1
OCTOBER 1, 1981
(WILM FT 17 S)
DESCRIPTION OF A 50-FOOT BY 50-FOOT PARCEL OF LAND
LEASED TO AMERICAN TELEPHONE AND TELEGRAPH COMPANY BY
JAMES J. ROCKER and MARJORIE E. ROCKER, HIS WIFE, SAID PARCEL OF
LAND BEING IN THE ELEVENTH ELECTION DISTRICT,
BALTIMORE COUNTY, MARYLAND
BEGINNING AT A POINT AT THE SOUTHWESTERLY CORNER OF THE AFORESAID 50-FOOT BY
50-FOOT PARCEL OF LAND, SAID POINT ALSO BEING THE NORTHERLY SIDE OF A 16.5-FOOT
WIDE CABLE RIGHT-OF-WAY FOR THE AMERICAN TELEPHONE AND TELEGRAPH COMPANY. THE
SAID POINT OF BEGINNING LOCATED BY THE FOLLOWING FOUR COURSES AND DISTANCES FROM
THE CENTERLINE INTERSECTION OF HICKORYHURST DRIVE AND SEVEN COURTS ROAD:
1. IN A NORTHWESTERLY DIRECTION, ALONG THE AFORESAID CENTERLINE OF HICKORY-
HURST DRIVE 580± FEET TO THE CENTER OF THE AFORESAID 16.5-FOOT WIDE CABLE
RIGHT-OF-WAY FOR A T & T COMPANY;
2. IN A NORTHEASTERLY DIRECTION ALONG THE AFORESAID CENTERLINE OF A T & T
COMPANY CABLE RIGHT-OF-WAY LEAVING HICKORYHURST DRIVE 2,338± FEET TO
THE CENTERLINE OF A GRAVEL AND MAC/DAM PAVED PRIVATE LANE;
3. STILL IN A NORTHEASTERLY DIRECTION CONTINUING ALONG THE AFORESAID CABLE
RIGHT-OF-WAY CENTERLINE, CROSSING THE AFORESAID PRIVATE LANE 92± FEET TO
A POINT; AND
4. IN A NORTHEASTERLY DIRECTION AT A RIGHT ANGLE TO THE AFORESAID CABLE
CENTERLINE 8.25 FEET TO THE POINT AND PLACE OF BEGINNING;
THENCE FROM THE PLACE OF BEGINNING IN A NORTHEASTERLY DIRECTION BY LANDS NOW
OR LATE OF UNIVERSAL HOUSING AND DEVELOPMENT COMPANY 70 FEET TO A POINT; THENCE
AT A RIGHT ANGLE TO THE PREVIOUS NORTHEASTERLY COURSE, STILL BY LANDS NOW OR LATE
OF UNIVERSAL HOUSING AND DEVELOPMENT COMPANY, IN A SOUTHEASTERLY DIRECTION 50 FEET
TO A POINT; THENCE AT A RIGHT ANGLE TO THE PREVIOUS SOUTHEASTERLY COURSE, AND STILL
BY LANDS NOW OR LATE OF UNIVERSAL HOUSING AND DEVELOPMENT COMPANY IN A SOUTH-
WESTERLY DIRECTION 50 FEET TO A POINT ON THE AFORESAID NORTHERLY SIDE OF THE 16.5-
FOOT WIDE CABLE RIGHT-OF-WAY FOR AMERICAN TELEPHONE AND TELEGRAPH COMPANY;

COMM. 3014-1
- 2 -
OCTOBER 1, 1981
THENCE BY THE AFORESAID NORTHERLY RIGHT-OF-WAY LINE, IN A NORTHWESTERLY
DIRECTION 50 FEET TO THE FIRST-MENTIONED POINT AND PLACE OF BEGINNING;
THE CONTENTS THEREOF BEING 2,500± SQUARE FEET.

K. E. Thiel, Esquire
3033 Chain Bridge Road
Oakton, Virginia 22185
NOTICE OF HEARING
RE: Petition for Special Exception, Beginning 2,430' NE of the centerline of
Hickoryhurst Dr., 580' NW of the Centerline of Seven Courts Rd. - 11th
Election District. James J. Rocker, et ux and Universal Housing and
Development Co. - Petitioners, No. 82-238-X (Item No. 108)
TIME: 9:30 A.M.
DATE: Tuesday, May 11, 1982
PLACE: ROOM 106 COUNTY OFFICE BUILDING, 111 W. CHESAPEAKE AVENUE,
TOWSON, MARYLAND
ZONING COMMISSIONER OF
BALTIMORE COUNTY



November 23, 1981

Mr. William E. Hammond
Zoning Commissioner
111 W. Chesapeake Avenue
Towson, Maryland 21204

Dear Mr. Hammond:

American Telephone and Telegraph acquired a lease dated November 1, 1957, from Jasper N. Spaner and Elizabeth F. Spaner, his wife, and recorded in Liber G.L.B. No. 3294, folio 12, among the land records of Baltimore County. This lease conveys unto the Telephone Company a plot of land 50' wide by 50' long for the purpose of constructing, enlarging and removing buildings and structures to accommodate the transmission of intelligence. The lease remains in effect until October 31, 2007, at an annual rental fee of \$300.00. The Telephone Company now proposes to construct a small regenerator station on this plot of land.

Mr. Spaner is no longer the lessor and owner of this parcel. Further, as a result of a land conveyance discrepancy, the following two parties claim title to this parcel:

- James J. Rucker
P. O. Box 43
Perry Hall, Md. 21128
- Universal Housing and Development Company
9901 Langs Road
Baltimore, Maryland 21220

We are presently forwarding the rental fee to:

Mr. Thomas F. McDonough, Esq.
Royston, Mueller, McLean and Ried
102 West Pennsylvania Avenue
Towson, MD. 21204

Mr. McDonough subsequently deposits the check to the Clerk of the Court and will continue to do so until the dispute is settled.

Both parties concur with our right to construct the new building. However, neither party is willing to sign your form entitled "Petition For Special Exception" indicating legal ownership of subject property.

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your Petition has been received this 23 day of Nov, 1981.

Filing Fee \$ 50.00 Received: ☒ Check
☐ Cash
☐ Other

William E. Hammond, Zoning Commissioner

Submitted by Bensing

No. 106849

viewed by CC

the Petition for assignment of a

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE April 9, 1982 ACCOUNT 01-662

AMOUNT \$50.00

RECEIVED FROM American Telephone & Telegraph Co.
FOR Filing fee for Special Exception for James J. Rucker, et ux and Universal Housing and Dev. Co. Case No. 82-238-X (Item No. 108)
C94*****50001b 2162A

VALIDATION OR SIGNATURE OF CASHIER

Mr. William E. Hammond

-2-

November 23, 1981

We plan to construct our proposed building in early spring and cannot wait for the disposition of this problem. Please accept our application for special exception based upon our right to construct as provided by the previously mentioned lease. A copy of the lease is attached for your review.

Thank you for your kind consideration in this matter.

Yours very truly,

Clyde C. Bensing

Clyde C. Bensing
Right of Way Agent

CCB:mrc
Enclosure

PETITION MAPPING PROGRESS SHEET

FUNCTION	Well Map		Original		Duplicate		Tracing		200 Sheet	
	date	by	date	by	date	by	date	by	date	by
Descriptions checked and outline plotted on map										
Petition number added to outline										
Denied										
Granted by ZC, BA, CC, CA										
Reviewed by: <u>CC</u>	Revised Plans: Change in outline or description <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No									
Previous case:	Map # <u> </u>									

K.E. Thiel, Esquire
3033 Chain Bridge Road
Oakton, Virginia 22185

cc: Edward R. Davidson Assoc., Inc.
West Chester, Pennsylvania

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your Petition has been received and accepted for filing this 6th day of April, 1982.

William E. Hammond
Zoning Commissioner

Petitioner James J. Rucker, et al

Petitioner's Attorney K.E. Thiel,

Reviewed by:

Nicholas B. Commodari
Chairman, Zoning Plans
Advisory Committee

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

cc: Nicholas B. Commodari
Chairman

MEMBERS
Bureau of Engineering
Department of Traffic Engineering
State Roads Commission
Bureau of Fire Prevention
Health Department
Project Planning
Building Department
Board of Education
Zoning Administration
Industrial Development

February 22, 1982

Mr. Clyde C. Bensing
American Telephone & Telegraph Company
5554 Port Royal Road
Springfield, Virginia 22151

RE: Item No. 108
Petitioner - American Telephone & Telegraph Co.
Special Exception Petition

Dear Mr. Bensing:

The above referenced petition will not be scheduled for a hearing until the legal owner of the property is determined.

If you have any further questions regarding this matter, please feel free to contact me.

Very truly yours,

Nicholas B. Commodari
NICHOLAS B. COMMODARI
Chairman
Zoning Plans Advisory Committee

NBC:bae



BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

WILLIAM E. HAMMOND
ZONING COMMISSIONER

June 14, 1982

K. E. Thiel, Esquire
American Telephone and Telegraph Company
3033 Chain Bridge Road
Oakton, Virginia 22185

RE: Petition for Special Exception
Beginning 2,430' NE of the center-
line of Hickoryhurst Drive, 580' NW
of the centerline of Seven Courts
Road - 11th Election District
James J. Rucker, et al - Petitioner
NO. 82-238-X (Item No. 108)

Dear Mr. Thiel:

I have this date passed my Order in the above referenced matter in accordance with the attached.

Very truly yours,

William E. Hammond
WILLIAM E. HAMMOND
Zoning Commissioner

WEH/srl

Attachments

cc: Mr. & Mrs. James J. Rucker
P.O. Box 43
Perry Hall, Maryland 21128

Universal Housing and Development
Corporation
9901 Langs Road
Baltimore, Maryland 21220

John W. Hessian, III, Esquire
People's Counsel

Petition for Special Exception 11th Election District

ZONING: Petition for Special Exception
LOCATION: Beginning 2,430' Northeast of the centerline of Hickoryhurst Drive, 580' Northwest of the centerline of Seven Courts Road
DATE & TIME: Tuesday, May 11, 1982 at 9:30 A.M.
PUBLIC HEARING: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland.
The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the above-captioned Petition for Special Exception for a public utility use other than those permitted as of right. Construction of a 114' x 140' one-story concrete block building on grade building to house electronic equipment for the purpose of regenerating long distance telephone communications via underground cables. All that parcel of land in the Eleventh District of Baltimore County, Maryland, described as follows:
Description of a 50-foot by 50-foot parcel of land, located to American Telephone and Telegraph Company, by James J. Rucker, his wife, said parcel of

land being in the eleventh election district, Baltimore County, Maryland.
BEGINNING at a point at the southwesterly corner of the aforesaid 50-foot by 50-foot parcel of land, said point also being the northerly side of a 16.5 foot wide cable right-of-way for the American Telephone and Telegraph Company, the said point of beginning located by the following four courses and distances: from the centerline intersection of Hickoryhurst Drive and Seven Courts Road:
1. In a northwesterly direction, along the aforesaid centerline of Hickoryhurst Drive 580 feet more or less to the center of the aforesaid 16.5 foot wide cable right-of-way for AT&T Company;
2. In a northeasterly direction along the aforesaid centerline of AT&T Company cable right-of-way leaving Hickoryhurst Drive 238 feet more or less to the centerline of a gravel and macadam paved private lane;
3. Still in a northeasterly direction, containing along the aforesaid cable right-of-way centerline, crossing the aforesaid private lane 92 feet more or less to a point; and
4. In a northeasterly direction at a right angle to the aforesaid cable centerline 8.25 feet to the point and place of beginning.

THENCE from the place of beginning in a northeasterly direction by lands now or late of Universal Housing and Development Company 50 feet to a point thence at a right angle to the previous northeasterly course, still by lands now or late of Universal Housing and Development Company in a southeasterly direction 50 feet to a point thence at a right angle to the previous southeasterly course, and still by lands now or late of Universal Housing and Development Company in a southeasterly direction 50 feet to a point on the aforesaid northerly side of the 16.5 foot wide cable right-of-way for American Telephone and Telegraph Company.
THENCE by the aforesaid northerly right-of-way line, in a northwesterly direction 50 feet to the first-mentioned point and place of beginning.
The contents thereof being 2.0 square feet, more or less.
Being the property of James J. Rucker et ux and Universal Housing and Development Company as shown on plat plan filed with the Zoning Department.
Hearing Date: Tuesday, May 11, 1982 at 9:30 a.m.
Public Hearing: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland.

BY ORDER OF
William E. Hammond
Zoning Commissioner
of Baltimore County

The Times

Middle River, Md., April 22, 1982

This is to Certify, That the annexed

was inserted in The Times, a newspaper printed and published in Baltimore County, once in each of one successive weeks before the 22nd day of April, 1982.
W. E. Hammond Publisher.

District: 11 Date of Posting: 4/20/52
Posted for: Petitioner for Special Exception
Petitioner: James J. Baker et al. & Universal Thriving
Location of property: 220 2420' N. of the waterline of
Nickinghurst Pk., 530' W. of Centerline of Division
Location of Signs: located on Curve 23225' N. of Nickinghurst
Pk. Sub: on site
Remarks: plot strips
Posted by: Dan J. Herman Date of return: 4/30/52
Signature
Number of Signs: 2